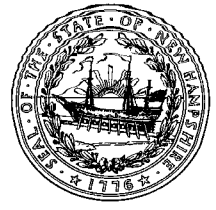




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

LETTER OF DEFICIENCY
WET 06-098

August 30, 2006

Morgan Whiting
PO Box 1448
Hillsborough, NH 03244

RE: DES Wetlands File #2006-02151 Route 202, Antrim

Dear Mr. Whiting:

On August 18, 2006, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Antrim Tax Map 7 as Lot 80 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Env-Wt 100-800. The Notice of Intent to Cut Wood or Timber listed you as the responsible party for logging on the site.

During the inspection the following deficiencies were documented:

1. Three stream crossings and one wetland crossing were observed. The crossing devices had been removed. One crossing is listed as a perennial stream on the USGS maps.
2. Slash had been left in the three stream channels, both upstream and downstream of the crossing. The slash was observed to impede water flow in the channel.

A subsequent review of DES files revealed that a Minimum Impact Forestry Notification had not been filed for this property.

In response, you are requested to take the following actions:

1. Immediately remove the slash left in all three stream channels.
2. Within 30 days of receipt of this Letter of Deficiency, submit photo documentation verifying that the slash has been removed from the stream channels.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.


Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Dawn Buker
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Dawn Buker at (603) 271-4066.

Sincerely,


Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7000 1670 0000 0585 4799

cc: Rene Pelletier, Asst. Director, Water Division
Gretchen R. Hamel, Administrator, DES Legal Unit
Antrim Conservation Commission
Antrim Board of Selectmen
USACOE
Doug Miner, DRED